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10/524,103

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Christer Lundstrom

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EXAMINER

JOHNSON, VICKY A

ART UNIT

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3656

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DELIVERY MODE

08/27/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 10/524,103 | Applicant(s) LUNDSTROM ET AL. | |
| | Examiner Vicky A. Johnson | Art Unit 3656 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-9 and 11-22 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-9, and 11-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 8, 2009 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-5, 7-9, and 11-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 2, 4, 5, and 18 are indefinite because it is unclear if "the tilt" recited throughout the claims is the same member as the "a wrist tilt part" recited in line 3 of claim 1 and recited in line 4 of claim 18.

Claim 16 is indefinite because it is unclear how the shell part can be two fixing members on opposite sides of the shell member.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 4-5, 7-8, 11, and 13-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Müller (DE 3444420).

Müller discloses a robot wrist for an industrial robot, said robot wrist comprising: a wrist housing (51); a wrist tilt part (28) journaled at the wrist housing, wherein the tilt is rotatable relative to the wrist housing about an axis of rotation (see Fig); the wrist tilt comprising a drive unit comprising a motor with a motor housing (22, 23), the motor housing comprising a shell part (20, 21) designed to connect the tilt to the wrist housing wherein the motor comprises a stator (26) and a rotor (29) arranged in the motor housing such that the motor housing surrounds the stator (see Fig), wherein the motor housing comprises an opening adapted to allow insertion of the stator into the motor housing (left side, see Fig), and wherein the motor housing comprises a sealing member (23) adapted to seal the opening.

6. Claims 19-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Zona et al (US 5,178,032).

Zona et al disclose a tilt (38) adapted to be journaled in a wrist housing of a robot wrist for an industrial robot, wherein the tilt is rotatable relative to the wrist housing (23) about an axis of rotation (18), the tilt comprising: a drive unit comprising a motor (47) with a motor housing, wherein a shell part of the motor housing is designed to connect the tilt to the wrist housing (see Fig 1).

Re claim 20, a first part (36) that is rotatable relative to the wrist housing about a first axis of rotation (18), and a second part (45) that is connected to the first part and is designed to support a toolholder and that is rotatable relative to the first part about a second axis of rotation (19).

Re claim 21, the drive unit is adapted for rotation of the second part relative to the first part about the second axis of rotation (col. 2 lines 45-55).

Re claim 22, the drive unit is adapted for rotation of the tilt relative to the wrist housing (col. 2 lines 45-55).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Müller (DE 3444420) in view of Zona et al (US 5,178,032).

Müller discloses a device as described above, but does not disclose a first part that is rotatable relative to the wrist housing about a first axis of rotation, and a second part that is connected to the first part and is designed to support a toolholder and that is rotatable relative to the first part about a second axis of rotation, and the drive unit is adapted for rotation of the second part relative to the first part about the second axis of rotation.

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Zona et al teach the use of a first part (36) that is rotatable relative to the wrist housing about a first axis of rotation (18), and a second part (45) that is connected to the first part and is designed to support a toolholder and that is rotatable relative to the first part about a second axis of rotation (19), and a drive unit is adapted for rotation of the second part relative to the first part about the second axis of rotation (col. 2 lines 45-55).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Müller to include the first part and the second part as taught by Zona et al in order to increase the working capacity of the robot.

Response to Arguments

9. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vicky A. Johnson whose telephone number is (571) 272-7106. The examiner can normally be reached on Monday-Friday (7:00a-3:30p).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vicky A. Johnson/
Primary Examiner, Art Unit 3656